

TRINIDAD AND TOBAGO.

*District Waterworks.*

**No. 1.—1906.**

*5th February.*

AN ORDINANCE to amend the District Waterworks Ordinance, No. 223.

[L.S.]

H. M. JACKSON,

GOVERNOR.

*14th February, 1906.*

**BE** it enacted by the Governor of Trinidad and Tobago with the advice and consent of the Legislative Council thereof as follows :—

1. This Ordinance may be cited as the District Water- Short title.  
works (Amendment) Ordinance 1906. It shall be read as one with the District Waterworks Ordinance (No. 223) and the District Waterworks Ordinance 1905 (No. 8—1905). The two last mentioned Ordinances and this Ordinance may together be cited as the District Waterworks Ordinances 1905–6.

2. Section 20 of the District Waterworks Ordinance Repeal.  
(No. 223) is hereby repealed.

3. The general district water rate and any water supply Method of recovery of rates, &c.  
rate and any sum due in respect of special supply under the provisions of Section 18 of the District Waterworks Ordinance No. 223, shall at the option of the Maintenance Authority be recoverable as provided in Sections 5, 6 and 7

hereof, or as a debt recoverable against the occupier of the premises from time to time in the Petty Civil Court of the district, by action at the suit of the Rating Authority without regard to limit of amount.

Increase of ten per cent. on arrears.

4. Any rate, charge or sum payable under or by virtue of the District Waterworks Ordinances 1905-6 if unpaid at the expiration of three months after the same shall have become due shall be increased at the rate of ten per cent.

List of defaulters.

5.—(1.) In case any rate, charge or sum payable under the District Waterworks Ordinances 1905-6 shall be in arrear and unpaid, and three months shall have elapsed since the same became due and payable, the Chairman of the Water Authority may at any time thereafter cause to be made out a list or lists, specifying the tenements and premises in respect of which such rate, charge or sum is so in arrear and unpaid, and the amount of the rate, charge or sum due and payable in respect thereof respectively. And it shall be lawful for the said Chairman to deliver such list to any Bailiff to collect and recover the rates, charges or sums so in arrear and unpaid, together with such increase as aforesaid, and such Chairman may by writing under his hand authorise the said Bailiff and his assistants to levy by distress the amounts of such rates, charges or sums so in arrear with such increase as aforesaid.

List to be handed to Bailiff.

Levy by distress.

Authority to levy.

(2.) The authority to be given by the Chairman to the Bailiff under this section may be according to the form marked A in the Schedule to this Ordinance, and such authority shall be a sufficient warrant and authority to such Bailiff to levy by distress the amount of rates, charges or sums so in arrear and unpaid with such increase as aforesaid in respect of each and every tenement or premises contained in such list, in like manner as if a separate distress warrant had been issued for recovery of the rates, charges or sums and increase due in respect of each of the said tenements and premises.

Power of Bailiff.

(3.) In execution of the power to distrain so given, the Bailiff and his assistants may, for the recovery of the rates, charges or sums so in arrear and unpaid in respect of any tenements or premises comprised in the said list, together with such increase as aforesaid, distrain upon any goods

and chattels found in such tenements or premises and upon any house, being a chattel, liable for such rate, charge or sum.

(4.) The distress so taken may at the cost of the owner thereof be kept for 14 days, at the end of which time, if the amount due in respect of rates, charges or sums together with such increase as aforesaid and the costs and charges of and incident to the distress be not paid, the same may be sold to the highest bidder at a sale thereof by public auction.

Distress may be sold.

(5.) Out of the proceeds of such sale there shall in the first place be paid the costs and charges of and incident to the sale and keeping of the distress and in the next place the amount due in respect of such rate, charge or sum with such increase as aforesaid, and the residue, if any, shall be payable on demand to the owner of the goods and chattels distrained upon.

Proceeds of sale of distress.

6.—(1.) When any rate, charge or sum payable under the District Waterworks Ordinances 1905-6 is in arrear and unpaid, and more than three months have elapsed since the same became due and payable, it shall be lawful for the Chairman of the Water Authority at any time thereafter by warrant under his hand addressed to the Secretary of the Water Authority to make order for the sale of the tenements and premises in respect of which such rate, charge or sum shall be so in arrear and unpaid, on some day to be named in such warrant, unless the amount of such rate, charge or sum together with the increase of ten per cent. and the costs of and incidental to such sale be paid to the Water Authority before such sale.

Sale of property when rate three months in arrear.

(2.) The warrant for sale to be given by the Chairman of the Water Authority under this section, may be according to the form marked B in the Schedule to this Ordinance.

Warrant for sale.

(3.) The power of sale conferred by this section shall be in addition to and independent of the power of distress conferred by Section 5 hereof, and may be exercised whether the power to distrain has been previously exercised or not, provided that at the time of such sale the rate, charge or sum or any part thereof payable in respect of the tenements or premises to be sold be in arrear and unpaid.

Power of sale when exercisable.

(4.) Every sale to be made in pursuance of this Ordinance shall be conducted and carried out either by the Secretary of the Water Authority, or by some officer in his department deputed by him or by the Chairman for the purpose.

Method of sale.

7.—(1.) Every sale made in pursuance of the power given by this Ordinance shall be by public auction, and one notice at least of such intended sale shall be published in one local newspaper at least one calendar month at least before the day of such sale; and at such sale the highest bidder for each of the tenements or premises put up for sale shall be deemed the purchaser thereof, and upon the execution of the conveyance thereof to him hereinafter mentioned such tenement or premises shall become the property of such purchaser absolutely discharged from all estates charges or incumbrances whatsoever save and except debts due to His Majesty the King; and the moneys arising from such sale shall be applied in the first place in or towards payment of the costs and expenses of and incidental to such sale; in the second place in or towards payment of the amount due for such rate, charge or sum and percentage, and in the third place in or towards the discharge of any house rates or public land charges due in respect of the said tenement or premises, and the surplus, if any, shall be paid to the person who shall prove his title to the same.

Application of purchase money.

Form of conveyance.

(2.) The conveyance to the purchaser on a sale under this Ordinance may be according to the form marked C in the Schedule to this Ordinance.

Passed in Council this Fifth day of February, in the year of Our Lord one thousand nine hundred and six.

HARRY L. KNAGGS,  
*Acting Clerk of the Council.*

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 SCHEDULE.
 

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 Form A.
 

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To  
 I Chairman of the Water Authority by Authority  
 virtue of the power vested in me by the District Waterworks Ordinances to levy.  
 1905-6 do hereby authorize you to collect and recover the several amounts  
 respectively due for water rates charges or sums due in respect of the  
 several houses and parcels of land or premises contained in the list of  
 defaulters for the year forwarded to you herewith, together with the  
 increase of ten per cent. accruing under the said Ordinances, and for the  
 recovery thereof I further authorize you to distrain on such goods and  
 chattels as by the said Ordinances are liable to be distrained upon for such  
 rates charges or sums with such increase as aforesaid, and for the levying  
 of such distress and for the sale thereof in accordance with the provisions  
 of the said Ordinances, this shall be your Warrant.

Given under my hand at this  
 day of in the year

Chairman of the Water Authority.

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 Form B.
 

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To  
 Whereas the sum of being the Warrant for  
 amount due and payable on the day of sale of  
 under the District Waterworks Ordinances 1905-6 in respect of the house or property.  
 parcel of land described in the rate book (or assessment roll) for the year  
 as No. of is and has for  
 more than three months been in arrear and unpaid. Now therefore, I  
 Chairman of the Water Authority,  
 do hereby in pursuance of the power vested in me by the said Ordinances  
 make order that you  
 Secretary of the said Authority do sell or cause to be sold the said house or  
 parcel of land or premises No. of  
 by Public Auction at on the  
 day of 190 , between the hours of and  
 p.m., unless the amount so due in respect of the said house  
 or parcel of land with an increase of ten per cent. and all incidental costs  
 and charges be paid to the said Authority before such sale.

Given under my hand at this  
 day of

Chairman of the Water Authority.

No. 1.

*District Waterworks.*

1906.

**Form C.**Form of  
conveyance.

THIS Deed made the \_\_\_\_\_ day of \_\_\_\_\_ in the year 190\_\_\_\_\_ between the \_\_\_\_\_ Water Authority on the one part and \_\_\_\_\_ of the other part. Whereas in pursuance of a Warrant under the hand of the Chairman of the said Authority dated the \_\_\_\_\_ day of \_\_\_\_\_ 190\_\_\_\_\_ the house (or parcel of land as the case may be) number \_\_\_\_\_ of \_\_\_\_\_ was put up for sale by Public Auction at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ 190\_\_\_\_\_ between the hours of \_\_\_\_\_ and \_\_\_\_\_ o'clock p.m. and at such sale the said \_\_\_\_\_ offered the sum of \_\_\_\_\_ for the said house (or parcel of land as the case may be) and was the highest bidder for the same. Now this deed Witnesseth that in consideration of the sum of \_\_\_\_\_ paid by the said \_\_\_\_\_ to the said Authority (the receipt whereof is hereby acknowledged), the said Authority under and by virtue of the power conferred by the District Waterworks Ordinances 1905-6 and of every other power in that behalf enabling them hereby convey unto the said \_\_\_\_\_ the said house (or parcel of land as the case may be) number \_\_\_\_\_ of \_\_\_\_\_ to hold the same unto and to the use of the said \_\_\_\_\_ in fee simple.

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